



**PROTECTION AND SAFETY
ADMINISTRATIVE MEMO
9-7-07-05**

Date: July 8, 2005

To: Protection and Safety Administrators
Protection and Safety Supervisors
Protection and Safety Workers

From: Todd Reckling, Administrator
Office of Protection and Safety

RE: Advocacy for Meeting the Educational Needs of Children Who Are Department Wards

Effective Date: Immediately

Duration: Until revised guidebook material is issued

Contact Person: If you have questions, please contact Becky Henderson, Program Specialist,
Office of Protection and Safety, (402)471-9333.

Appropriate education is a critical element of building for a child's future. The purpose of this memo is to clarify 390 NAC 11-002.02, Educational Issues, providing additional information on the role of HHS.

When a child is placed into Department custody, the Department shares responsibility with the parent for assuring that the child's educational needs are met. Carrying out of this responsibility includes the following:

- Assuring that when a child of school age is involved, family team meetings and case plans include a discussion of the child's school progress and what, if any, additional services might be needed, and how they will be obtained. An example of additional services might be assessments or testing by the school. Generally, it is preferable that the workers support the parent to obtain services rather than the worker making the request. However, when necessary, the worker can make the request himself or herself.

One way to support the parents is encouraging them to contact their local family organization. (Information on these organizations may be available through the Service Area Protection and Safety Administrator, or from Shirley Pickens-White, Program Specialist in Office of Protection and Safety.)

- Reviewing school reports on the child's progress to assure that accurate information is available and is the basis for planning and for reporting to the court;
- Assuring that actions are taken when it appears that educational services are not being provided, such as assistance to the parent in advocating for the child's needs, or requesting assistance from the Protection and Safety Legal Team; and

- Assuring that the child's school records are transferred when a child moves from one school to another.

When the parent is unable or unwilling to exercise his or educational rights for the child, the school is responsible to appoint a surrogate parent for these purposes. When that happens, the worker should continue to provide support to the surrogate in meeting the child's educational needs.

For additional information related to education of children who are wards, please review:

- 390 NAC 11-002.02 Educational Issues, which includes:
- 11-002.02A Notification to School Districts
- 11-002.02B Appointment of Educational Advocate (Surrogate Parent)
- 11-002.02C Discipline of Children by School Personnel
- 11-002.02D Education Placement in Non-Public School Setting
- Case Management for Child Abuse, Neglect, and Dependency Guidebook section entitled, Federally Required Elements of a Case Plan, #4, which sets forth the need to include a description of programs and services to prepare a youth age 16 or over to acquire independent living skills.